

Missouri State
Rehabilitation Council
For the Blind

Annual Report
2001

October 1, 2000-September 30, 2001

ACRONYMS USED IN THIS REPORT

AER= Association for the Education and Rehabilitation of the Blind and Visually Impaired
AFB = American Foundation for the Blind
BEP = Business Enterprise Program
BSS = Blindness Skills Specialist
CBLV= Center for Blindness and Low Vision
CCB = Colorado Center for the Blind
CSAVR = Council of State Administrators of Vocational Rehabilitation

DESE = Department of Elementary and Secondary Education
DoH = Department of Health
DWD = Division of Workforce Development
DVR = Division of Vocational Rehabilitation
FEC = Full Employment Council
FFY = Federal Fiscal Year
IPE = Individualized Plan for Employment
MATP = Missouri Assistive Technology Project
MTEC = Missouri Training and Employment Council
PVA = Personal and Vocational Adjustment to Blindness
RI= Rehabilitation Institute
RPDC = Regional Professional Development Center
RSA = Rehabilitation Services Administration
RSB = Rehabilitation Services for the Blind
RSMo = Revised Statutes of Missouri
SRC = State Rehabilitation Council for the Blind

PROVENANCE OF THE ANNUAL REPORT

The Vocational Rehabilitation Act, as amended in 1998, requires that each vocational rehabilitation agency appoint a council to review and advise the agency on its operations, unless the agency is controlled by a consumer-based commission. In 1993, the Governor of the State of Missouri, the Honorable Mel Carnahan, created the State Rehabilitation Advisory Council for the Blind to review and advise on operations of Rehabilitation Services for the Blind (RSB), a section of the Division of Family Services (DFS). One of the duties of the Council is to complete an annual review of agency accomplishments and report on the findings of this review in a report provided to the Governor and the Commissioner of the Rehabilitation Services Administration (RSA).

The State Rehabilitation Council for the Blind (SRC) has completed this study in each of the years since the Council was formed. The review is performed by taking raw data provided by the agency and processing it in such a way as to determine if agency priorities are being met, if consumers are receiving the services they need, and that no consumers or groups are being unfairly treated in the delivery of vocational rehabilitation services.

The report consists of three primary sections. The first is the statistical analysis of RSB operations using agency data. The second section details matters considered by the SRC during the period of the report. The third and final section of the report details actions taken by the agency during the year.

SECTION I
STATISTICAL ANALYSIS OF RSB OPERATIONS FOR FEDERAL FISCAL
YEAR 2001

RSB is the designated state unit described in the Vocational Rehabilitation Act as Amended in 1998 for persons with visual disabilities in the state of Missouri. RSB is a section of and reports to the Division of Family Services, Department of Social Services. RSB has a total of 138 full time equivalent staff positions (FTEs). The following numbers of staff are included in the FTEs: 19 Vocational Rehabilitation Counselors (VRCs); 20 Rehabilitation Teachers; seven Orientation and Mobility Specialists; two Job Development Specialists; seven District Supervisors; seven Clerical Supervisors and 22 Rehabilitation Assistants operating from seven district offices throughout the state. There are additionally 39 administrative and management staff in various positions at the central office in Jefferson City. 15 FTEs are used to provide reader and driver accommodations to staff with disabilities.

All of the positions named above are directly involved in providing vocational rehabilitation services to individuals with disabilities. 1,380 persons had an open case with RSB as of March 31, 2001, which is an average of approximately 73 per counselor. RSB has seen the number of new applicants increase over the past several years, necessitating the increase to 19 VRC positions in FFY 2000.

APPLICATIONS

In order to receive vocational rehabilitation services, a consumer must complete an application and undergo eligibility consideration. When an application has been signed, a consumer is considered as being in "02" status. The group that consists of all consumers who apply during a given year is considered to be a good measuring stick against which to compare other case actions, such as successful and unsuccessful closures, in order to determine if there are anomalies which affect certain population groups, such as women and ethnic minorities.

During Federal Fiscal Year (FFY) 2001, a total of 789 persons applied for vocational rehabilitation services, a reduction from FFY 2000 when 1,062 persons sought services. Of those, 154 (19.51%) were self-identified as belonging to ethnic minorities. This exceeds the state's minority population of 13.3%, although RSA estimates that disability is more prevalent within this population at a rate of 150% when compared to the caucasian population. In light of this increased prevalence, the referral population is in line with established norms for VR applications. 300 (38.02%) of the applicants were male, while 489 (61.97%) females applied for services. The youngest applicant was 16 years old and the oldest applicant was 100 years of age. The average age of applicants was 44, which compares with the FFY 2000 average of 46. The geographic distribution of applications was relatively even, with the smallest number of applications (64) being taken by RSB's Kansas City-North office, and the largest number of applications (149) taken by the St. Louis-North office. The average number of applications per office was 111.

CLOSURE TYPES

RSB categorizes closed cases based on whether or not services have led to employment. In considering whether or not a case has been successful, the type of employment is considered. Employment of consumers in competitive work (work in an integrated environment which pays at least minimum-wage), self-employment or the Business Enterprise Program is considered as "targeted employment," or the employment that RSA considers as appropriate to determine an agency's success or failure. Additionally, there are two other categories which are considered (during this Fiscal Year) as successful closures, but not as targeted closures; they are extended (often referred to as sheltered) employment, and employment as a homemaker. Each of these is considered as a successful employment closure, however, the most weight is accorded to closures of the targeted group. All closures which result in employment are referred to as "Status

26" closures.

In cases which do not lead to employment, there are three types of closures possible. These are:

1. "Status 08" closures, in which a the case is closed before the applicant is found eligible for services;
2. "Status 28" closures, in which an Individualized Plan for Employment (IPE) has been completed and services provided prior to closure without attaining employment; and,
3. "Status 30" closures, in which an IEP has been completed, but services have not yet been provided to the consumer prior to closure without attaining employment.

SUCCESSFUL CLOSURES

RSB successfully closed 408 cases of consumers who had achieved their employment goals during FFY 2001. Included in this total are 226 competitive employment closures, 123 homemakers, 38 who achieved self-employment, 14 who found employment through the Business Enterprise Program and seven who went to work in sheltered/extended settings. This total employment success compares to FFY 2000, when there were 508 closures. The large reduction in overall successful closures is the result of a reduction in the number of consumers whose cases were closed as 'homemakers.' In FFY 2001, RSB closed 123 cases as homemakers, compared to 213 in FFY 2000. This is a reduction of almost 40% in the number of consumers who complete their rehabilitation as a homemaker, a result which was supported by RSB's management staff.

In the category of targeted employment, RSB closed 277 cases during the fiscal year (one self-employment closure was at less than minimum wage, so it cannot be counted as a targeted closure). Of these closures, 145 (52.1%) consumers were male, 133 (47.9%) were female. 57 (20.5%) were ethnic minorities, again well in keeping with the higher incidence rate of disability within minority populations, as well as being representative of the percentage of applicants who were minorities (19.51%). Of the 277 closures, 103 (37%) moved from unemployment at the time of application to employment at the time of closure. Additionally, 92 consumers (33%) who were employed prior to applying to RSB for services achieved increased earnings as a result of their completion of vocational rehabilitation, with an average weekly salary following rehabilitation of \$400, an increase of 10% from their previous salary. In all, 70% of RSB's closures either resulted in new employment or more lucrative employment for the consumer. The remaining 30% of closures were cases where vocational rehabilitation services made it possible for the consumer to retain employment they had at the time of application. The average age of consumers who achieved targeted employment with RSB services was 44; minimum age was 19, and the oldest was 89 years old.

In all, 123 consumers achieved employment as homemakers. Of these, 18 (14.6%) were ethnic minorities. Males were underrepresented among homemakers, with only 27 (21.9%) reported. The age of homemakers was also vastly different from that of consumers who achieved targeted employment. Homemakers averaged 65 years of age, with the youngest consumer being 25 years old, and the oldest 97.

COST

TARGETED CLOSURES

In achieving the successful (targeted) closures described above, RSB expended \$2,879,549. This equates to an average cost of \$10,358 per case. The highest cost for a targeted employment case was \$99,999 (which means that the cost exceeded \$100,000), the least expensive case cost \$0 in case service dollars. The median case cost (the point at which 50% of cases cost less and 50% cost more) was \$5,429. Minority spending was considerably less than that of cases belonging to non-minorities; average cost was \$6,729 (compared to \$11,212 for non-minorities), and a median case cost of \$2,156 vs. \$6,155 for non-minority cases.

This trend did not hold true for comparison of male vs. female closures. The average cost of all male closures was \$10,874; females whose cases were successfully closed cost an average of \$9,794. Further study of the nature of these disparities should be made to determine the causative factors of disparate funding for minority cases.

HOMEMAKER CLOSURES

RSB expended \$235,059 on homemaker closures during FFY 2001. This equates to an average of \$1,911 per case. The least expensive case cost \$0 case service dollars, the most expensive \$42,563, and the median case cost was \$862. This compares favorably with FFY 2000, when 213 closures were recorded at an average cost of \$2,001.

EXTENDED EMPLOYMENT CLOSURES

RSB expended a total of \$72,295 on cases which resulted in extended or sheltered employment. This category of employment includes those placements where consumers work in a non-integrated workplace (with a preponderance of workers with disabilities) and/or are compensated at less than minimum wage under the Fair Labor Standards Act. In total, RSB placed seven persons in this category of employment, at an average cost of \$10,327. This average is misleading however, as one case resulted in the expenditure of \$68,000; median case cost was only \$71. This will be the final year of reporting this category of employment, as the final regulations of the Vocational Rehabilitation Act Amendments of 1998 no longer recognize this category as "employment."

CONSUMER INCOME AS A RESULT OF REHABILITATION

The 277 targeted employment closures achieved by RSB consumers during FFY 2001 resulted in weekly earnings of approximately \$99,272 (at time of closure). On an annual basis, this group would earn \$5,162,144. If a tax rate of 20% existed, this group of consumers would repay the cost of their rehabilitation (\$2,879,549) in less than three years. This example of rehabilitation paying for itself does not consider the even greater cost savings that result from the decrease in the cost of benefits such as Social Security, Temporary Assistance for Needy Families, etc. It is projected that approximately 35 consumers will meet Substantial Gainful Activity status as a result of their new earnings.

On average, consumers earned \$230 per week prior to applying for vocational rehabilitation services. At the completion of those services, they averaged \$357 per week. This income is level across ethnic lines, with minorities earning an average of \$345 weekly vs. non-minorities who earned \$359. The only area of disparity in income comes from considering gender; women averaged \$312 of weekly earnings compared to the mens' average of \$397.

POST-EMPLOYMENT SERVICES

Once the consumer has been employed for a minimum of 90 days, and all services required by the Individualized Plan for Employment (IPE) have been delivered, the case can be closed in Status 26. However, many cases require services of an ongoing nature to retain employment or adjust to their new employment. For those cases, RSB can re-open the case for "Post-Employment Services." Under Post-Employment Services, RSB can provide for service needs which are discovered after work has begun, or that arise as employment continues. These services are limited to those which can be provided under the existing IPE. If the employment cannot be maintained, and a new IPE is necessary, the case must be closed and a new case (Status 02) opened.

162 cases were opened in Status 32 (Post-Employment Services) at some time during the year. This category increased considerably from FFY 1999, during which 37 cases were reopened for services following successful closure, 142 in FFY 2000. Of the 162 post-employment cases opened, 72 were subsequently

closed as having successfully retained employment, 10 were closed to be re-opened as new cases where the employment could not be maintained or the situation called for a revision of the Individualized Plan for Employment (IPE) and 76 remain open at the time of this report.

MULTIPLE CLOSURES

An issue which has been the subject of discussion since the Council's inception is that of consumers whose cases have been closed multiple times. It is the established policy of RSB that consumers may access services as often as needed to obtain or retain employment; however, the Council has long been concerned that some consumers were being opened and closed in Status 26 at short intervals, in effect artificially inflating the numbers of consumers who are successful in employment.

In order to answer this question, the names of all FFY 2001 RSB employment closures (408) were compared with the files at central office, and a listing of their respective VR case actions was compiled. This listing included all closures, both successful and unsuccessful, as well as post-employment actions (although post-employment closures are not represented here). Review of this listing produced the following facts:

- *23 consumers had cases closed in Status 26 in both FFY 2000 and 2001
- *35 consumers had cases closed in Status 26 in both FFY 1999 and 2001
- *4 consumers had cases closed in Status 26 in FFY's 1999, 2000 and 2001
- *2 consumers had cases closed in Status 26 in FFY's 1998, 2000 and 2001
- *1 consumer had cases closed in Status 26 in FFY's 1996, 1997, 1998, 1999, 2000 and 2001

In the three year period from FFY 1999-2001, a total of 63 consumers closed in FFY 2001 (22.7% of all targeted closures) had multiple closures. It should be noted that these multiple closures did not extend to homemaker closures; only targeted employment cases had multiple closures.

Although it is not possible at this time to compare this data to any other year, thereby making meaningful analysis suspect, the large percentage of multiple closures does nothing to satisfy the questions regarding the efficacy of the practice of opening, serving, closing then re-opening cases within a short period of time. Nor does it serve to disprove the concern that closure numbers are being inflated due to multiple closures of a single case. Since the lack of comparison data prevents complete understanding of the issue, and as the only reliable source of information to more completely analyze the correctness of these actions is the case record, the SRC recommends that RSB conduct further research in this area to determine the efficacy and validity of multiple closures within short time frames.

UNSUCCESSFUL CLOSURES

STATUS 08 CLOSURES

Status 08 closures come from consumers who make application for RSB services, but who never establish eligibility for services. During FFY 2001, 139 cases were closed prior to establishing eligibility, nearly matching FFY 2000's record of 138. Of those consumers, 60 were male and 79 female. 48 consumers (34.5%) were ethnic minorities (compared to 20.2%

in FFY 2000), establishing that minorities are overrepresented in Status 08 cases. The leading reasons for closure prior to establishing eligibility were:

- 79 - No disabling condition
- 12 - Unable to contact
- 22 - Refused services
- 11 - Other
- 7 - Transferred to other agencies

7 - Failure to cooperate

STATUS 28 CLOSURES

Status 28 closures are those cases which are closed after Individualized Plan for Employment (IPE) services have been delivered, but in which employment was not achieved. These cases are of particular interest to the SRC, as they often come after the expenditure of significant resources. In FFY 2001, RSB recorded 166 closures in Status 28, down from 184 in FFY 2000, and 223 in FFY 1999. 75 (45.1%) of the cases involved male consumers, 91 (54.9%) were females. Minorities were again overrepresented in these statistics, amounting to 31.9% of the closures. In all, RSB spent \$1,195,067 on cases closed in Status 28, down from \$1,802,379 in FFY 2000. Cost per case has improved also, averaging \$7,199 vs. \$9,795 in FFY 2000. One indicator that remains a cause for concern is the disparity in case expenditures for minorities vs. non-minorities prior to closure in Status 28 cases. The average expenditure for non-minorities is \$7,808, with minority expenditure averaging only \$5,900. This anomaly is an improvement from FFY 2000, when female minority expenditures averaged \$3,000 less than non-minority females, and male minorities averaged \$6,000 less than their non-minority counterparts. Further investigation of the reasons for the overrepresentation of minorities in unsuccessful closures after services have been provided is needed.

Of continuing concern from last year's Annual Report is the fact that many of the Status 28 closures come following serious expenditures (averaging \$7,199), but the reasons given by many for closure are not compelling. The leading reasons given for closure during FFY 2001 are as follows:

- 46 - Unable to contact
- 66 - Refused services
- 14 - Death
- 17 - Other
- 14 - Failure to cooperate

In particular, the number of consumers listed as "Unable to contact," (46/27.7%) and "Refused Services" (66/39.7%) are troubling, with an expenditure of \$806,288 (by average). Although these numbers are lower than the previous fiscal year, the ability to contact the consumer and the refusal of services are two areas that can be directly influenced by the counselor. Further investigation of the reasons given for unsuccessful closure following services, as well as remedial steps which can be taken to reduce those closures is needed and should be undertaken by the agency.

STATUS 30 CLOSURES

68 cases were closed in Status 30 during FFY 2001, after completing an IPE but prior to beginning services. This compares to FFY 2000, when 45 cases were closed in Status 30. In all, 37 males and 31 females had their cases closed prior to delivery of services. Minorities (19/27.9%) were overrepresented in these closures, compared to 19.5% of the referral population and 20.5% of the successful employment closures. Leading reasons given for closure of these cases include:

- 22 - Unable to contact
- 34 - Refused services
- 9 - Failure to cooperate

STATE REHABILITATION COUNCIL (SRC) ACTIONS DURING FFY 2001

MEMBERSHIP ON THE STATE REHABILITATION COUNCIL FOR THE BLIND

During the past Federal Fiscal Year, the State Rehabilitation Council has said hello to many new members, and goodbye to some long-serving friends. We would like to note the welcome of the following new members:

Daryel Banks, a consumer from the St. Louis area
Bill Burris, a long-standing advocate for blind Missourians
Marcus Engel, a self-employed public speaker
Stanley Grimsley, a retired public school counselor
Dr. Corinne Harmon, the new Superintendent of the Missouri School for the Blind
Debbi Head, a certified teacher of the visually impaired
Janet Jacoby, the new representative of the Missouri Parents' Act organization
Lawrence Luck, the parent of a blind child
Penny Perr, an RSB vocational rehabilitation counselor
Ruby Polk, a self-employed teacher of Braille
John Wunder, a businessman and public official

Members to whom we have bid a fond farewell this year include:

Jerry Annunzio, a retired public school counselor from Kansas City, who held every Council position other than Secretary, including two years as Chairman
Bill Cobb, who served as RSB's vocational rehabilitation counselor on the Council
Lucille Fierce, whose service to blind Missourians spans decades, from advocacy, Braille and Independent Living instruction, to political activism
Sandy Halverson, a representative of the National Federation of the Blind, who had to leave us too soon to move to the Washington, D.C. area
Dr. Yvonne Howze, who retired as Superintendent of the Missouri School for the Blind
Richard Knight, who provided much information on the realities of day-to-day facility-based rehabilitation
Darrell Lauer, a consumer advocate for Southwestern Bell
Robert Moran, of the Missouri National Guard, for his long service as one of the "cooler heads" from the saying

SURVEY OF FFY 2001 CONSUMERS

The Council has been responsible for conducting the consumer satisfaction survey since its inception in 1993. This year, surveys were sent to all consumers closed in Status 26, 28 and 30 (642 in all), encompassing all consumers who had been closed after being determined eligible by RSB. Of these, 149 (23.2%) responded and their results were included in the compilation of this report. The results of the survey were compiled for three different groups; Targeted Employment, Homemakers and Unsuccessful (either before or after services had been provided). The results of the survey are listed below, with the questions listed prior to the results for each of the groups:

NOTE: All scores are based on a Likert Scale of 1 - 5

NOTE: Homemaker minority scores are reported as ** as there was an insufficient number of minority returns

1. The choices of services available from RSB were sufficient to meet my needs.

Targeted Employment:

Mean score 4.23 Minority: 4.33 Female: 4.25

Homemakers:

Mean score 4.06 Minority: ** Female: 4.05

Unsuccessful:

Mean score 3.25 Minority: 2.88 Female: 3.19

2. I had the final say in the selection of a vocational goal.

Targeted Employment:

Mean score 4.34 Minority: 4.11 Female: 4.38

Homemakers:

Mean score 4.09 Minority: ** Female: 4.12

Unsuccessful:

Mean score 3.57 Minority: 3.25 Female: 3.38

3. I had the final say in the selection of service providers.

Targeted Employment:

Mean score 4.17 Minority: 4.00 Female: 4.12

Homemakers:

Mean score 3.8 Minority: ** Female: 3.85

Unsuccessful:

Mean score 3.27 Minority: 3.12 Female: 3.04

4. My rehabilitation plan was individualized to meet my goals.

Targeted Employment:

Mean score 4.38 Minority: 4.00 Female: 4.38

Homemakers:

Mean score 4.11 Minority: ** Female: 4.14

Unsuccessful:

Mean score 3.15 Minority: 3.00 Female: 2.92

5. I received services from RSB without excessive waiting.

Targeted Employment:

Mean score 4.03 Minority: 3.88 Female: 3.87

Homemakers:

Mean score 3.95 Minority: ** Female: 3.91

Unsuccessful:

Mean score 3.10 Minority: 2.88 Female: 2.92

6. RSB staff returned my phone calls promptly.

Targeted Employment:

Mean score 4.25 Minority: 3.88 Female: 4.29

Homemakers:

Mean score 4.08 Minority: ** Female: 4.05

Unsuccessful:

Mean score 3.28 Minority: 3.22 Female: 3.11

7. RSB staff were knowledgeable about my needs as a person who is blind.

Targeted Employment:

Mean score 4.20 Minority: 4.22 Female: 4.32

Homemakers:

Mean score 4.25 Minority: ** Female: 4.24

Unsuccessful:

Mean score 3.53 Minority: 3.66 Female: 3.42

8. RSB staff helped me build my confidence in my abilities.

Targeted Employment:

Mean score 4.16 Minority: 4.22 Female: 4.22

Homemakers:

Mean score 4.02 Minority: ** Female: 3.97

Unsuccessful:

Mean score 3.25 Minority: 3.22 Female: 3.07

9. The services RSB provided were adequate to help me reach my rehabilitation goal.

Targeted Employment:

Mean score 4.19 Minority: 4.11 Female: 4.16

Homemakers:

Mean score 3.26 Minority: ** Female: 3.15

Unsuccessful:

Mean score 2.94 Minority: 2.55 Female: 2.65

10. I am pleased with the overall outcome of my experience in the vocational

rehabilitation program provided by RSB.

Targeted Employment:

Mean score 4.32 Minority: 4.11 Female: 4.30

Homemakers:

Mean score 4.17 Minority: ** Female: 4.09

Unsuccessful:

Mean score 3.10 Minority: 2.77 Female: 2.88

While further analysis of survey results will be conducted, the remarkable feature of these results is that there are no readily identifiable statistical anomalies between groups based on gender or ethnic minority. Scores for unsuccessful cases are understandably lower than for those with targeted or homemaker employment.

BLIND TASK FORCE

In FFY 1999, HB401 created the Task Force on Blind Student Literacy and Vocational Performance. The SRC has been active in the effort to create the Task Force, and has been supportive of the Task Force's activities through the members who represent the SRC. The Task Force has been involved in three major areas of activity during FFY 2001. Those areas are:

Blindness Skills Specialists: The Task Force recommended to DESE that a pilot project be conducted by putting a Blindness Skills Specialist in place in a single Regional Professional Development Center (RPDC) and having that project model operations for the positions across the state. A contract was awarded to the RPDC at Southwest Missouri State University to perform these duties. During the remainder of the fiscal year, the pilot project produced the following results:

1. Identification of nearly double the number of eligible children identified by DESE on the Child Count
2. The BSS attended 32 IEP conferences to offer programming and placement advice
3. The BSS performed 59 technology assessments in support of local schools
4. The BSS recruited 12 teachers for training leading to certification as Teachers of the Visually Impaired (at the request of the District Administrators)

Funding for Blindness Skills Specialists: The Task Force and its membership, worked closely with legislators to support the request for funding included in the Division of Special Education's budget. This funding was not recommended by the Governor in his recommendations to the legislature, however, the funding was included in the Division's budget in both the House and Senate Appropriations Committees. In total, the legislature appropriated \$150,000 in addition to the core funding from last year, which it was envisioned would support at least two additional Blindness Skills Specialists. However, word was received in June that the Governor had vetoed all new money appropriated for the Blindness Skills Specialists. His comments in the veto message included:

"Section 2.310: I hereby veto \$150,000 general revenue for blind skills specialists. A weak national economy is expected to depress revenue collections below original estimates for Fiscal Year 2002. A veto is necessary to help bring expenditures in line with available resources. It may be possible to consider redirecting currently appropriate professional development funds in the Department of Elementary and Secondary Education to provide these services. Also, the Missouri School for the Blind will continue providing assistance to school districts and parents of children who are blind."

Following this setback, the Department of Elementary and Secondary Education and Division of Special Education did make up the funding from other sources within DESE.

Parent Seminar: The Blind Task Force, in cooperation with DESE, the Division of Special Education and Rehabilitation Services for the Blind, conducted a seminar in June for parents of blind and visually impaired children, and the professionals who serve them. The seminar was held in Jefferson City, with over 80 persons in attendance, split evenly between parents and teachers who work directly with blind and visually impaired students. Presenters provided basic information about blindness, its effect on education, accommodation of blind children in the education and resource-finding information. Although funding might be difficult in the coming State Fiscal Year, the Task Force voted to again hold the seminar.

EXTENDED EMPLOYMENT POLICY

As detailed in the FFY 2000 Annual Report, the Council considered the proposed regulations pertaining to sheltered/extended employment and declined to make comment to Rehabilitation Services Administration regarding this change in recognition of extended employment. The Supervisor of Field Operations explained that if the proposed VR regulation change occurs, sheltered/extended employment would no longer be considered as a successful closure because it does not meet the definition of integrated employment according to the law. Although the issue was discussed at length at the November, 2000 meeting, no action was taken by the Council.

The Council was notified in August, 2001 that sheltered or extended employment cases will no longer be considered employment closures as of October 1st, 2001. A draft policy was developed by RSB for distribution to staff and the Council during September, 2001. The policy and answers to frequently asked questions regarding extended employment is attached at Appendix A.

HEARING RESULTS

There were two hearings held during the period of this report. One of the hearings pertained to a question of what constitutes informed consumer choice. The appellant sought to attend a rehabilitation facility with which RSB did not have a contract. The hearing officer's finding was that the consumer was within his/her rights to request to attend the rehabilitation facility, dependent upon RSB's being able to negotiate a contract with the facility. A contract was established with the facility in question, and the consumer was allowed to attend as desired.

The second hearing pertained to an appellants request for additional education in order to keep her competitive in employment in her chosen profession of teaching of the visually impaired. According to the appellant, school districts were becoming unwilling to contract with her for visually impaired teaching services, as she did not possess certification as a teacher of the visually impaired. RSB contended that such certification was not necessary to perform contractual services for school districts, and that her desire to achieve a Master's Degree in Education and certification as a Teacher of the Visually Impaired went beyond the scope of the Vocational Rehabilitation Act. The hearing officer found that the education services requested by the consumer were within the scope of the Vocational Rehabilitation Act, and that RSB would have to provide the services, contingent upon the consumer's agreement to take a minimum number of hours per year, and take all classes and outside activities required in a timely fashion.

JOBLINE

During FFY 2000, RSB informed the Council that the agency had been approached about the possibility of purchasing JOBLINE, a telephonically operated version of America's Job Bank. Already in use in several other states, JOBLINE allows blind consumers to access information about job openings through the telephone, greatly improving their ability to compete for employment with the most current information possible. Following a demonstration of JOBLINE, the Council voted to recommend that RSB should request funding to

pay for 50% of the licensing cost of the program for use in Missouri, with the Division of Workforce Development agreeing to fund the remaining 50%. RSB complied with the Council's wishes, introducing a \$28,000 budget decision item which was included with the Department of Social Services technology budget.

The JOBLINE budget item was passed by both the House and Senate, however, the appropriation was vetoed by Governor Holden in June, 2001. At a subsequent meeting with the Division of Workforce Development, it was determined that without RSB's financial participation, purchasing the JOBLINE service was not feasible at this time.

Following the veto, RSB received a memorandum from the National Federation of the Blind (NFB), the operators of JOBLINE. This memo reported that JOBLINE had been turned on for Missouri. Contact with the NFB led to the explanation that JOBLINE's first year is free because of a federal grant obtained for this purpose, and that Missouri's access would last from July 1, 2001 until June 30, 2002 unless funding was made available to extend it. RSB counselors were informed about the availability of JOBLINE and given instructions on its use to share with consumers. With only mandated increases allowed for budget decision items in SFY 2003, it is unlikely that the funding will become available prior to the expiration date of services.

NEW FACILITY CONTRACTS

In response to a June, 2001, hearing decision, a Request for Proposal (RFP) to provide Personal Vocational Adjustment to Blindness (PVA) Services was sent to Colorado Center for the Blind (CCB). This corresponded with a normal cycle of the contract, and two RFPs were received, one from the CCB, and the other from the Cleveland Society for the Blind.

In 1999, RSB terminated a contract with the Colorado Center for the Blind after having informed them that they were in violation of the contract's provisions regarding promotion of one consumer group over another. The SRC played a key role in providing a forum for all concerned to discuss the contract dispute, and the Council voted to recommend termination of the contract. On the same day that they recommended termination, the Council also passed a motion declaring that if CCB ever wished to do business with RSB again, abiding by the terms of the contract, they would be welcome to submit a contract for consideration.

The RFPs were evaluated by the standard procedure prescribed by the DFS contracting office, and the result was that both facilities were offered and have accepted contracts to provide PVA services to RSB consumers. A visit was made to each facility by RSB administrative staff members following completion of the contract to ensure that each clearly understood the contract and would operate in keeping with its covenants.

RSB now has contracts with five facilities to provide PVA services. They are:

- Lion's World Services for the Blind, Little Rock, Arkansas
- Alphapointe, Kansas City, Missouri
- South Dakota Center for the Blind, Sioux Falls, South Dakota
- Colorado Center for the Blind, Littleton, Colorado
- Cleveland Society for the Blind, Cleveland, Ohio

OLDER BLIND SERVICES ELIGIBILITY

Due to ongoing concerns about spending for Older Blind Services (OBS) cases, at the November, 2000 meeting of the SRC, the director said she will be asking the staff to begin collecting income data for three months. A motion was made that the Council recommend that RSB establish a means test to cover aids and appliances for the Older Blind Services program. The motion passed unanimously.

At the February, 2001 meeting, the director explained the proposed plan for managing the Older Blind budget. She said this is necessary based on data collected for the past few months. The proposal is as follows:

1. Institute the means test;
2. Eliminate physical restoration not related to vision;
3. Payment for diabetic education only when other resources are not available and have been thoroughly explored;
4. St. Louis needs to bring down expenses in line with the rest of the state;
5. Refocus RTs on "resource finding" versus automatically paying for items.

According to the director, RSB will be researching available resources statewide for diabetic education and hearing aids. A motion was made that the Council recommend approval of the proposal as presented. The motion passed unanimously.

At the May, 2001 meeting, the director reported that the only RSB budget item in the FY 2002 budget approved (besides JOBLINE) was the \$300,000 request for rehabilitation teachers to serve the growing number of older blind consumers. She reviewed with the Council possible RSB budget items for the SFY 2003 budget. These included: additional general revenue funding to replace the federal funds being used for rehabilitation teachers serving the older blind consumers.

In June came news of the Governor's cuts in appropriations. Of particular interest to the SRC was the veto of the \$300,000 appropriation for Older Blind Services funding. Additionally, guidelines were established for SFY 2003 forbidding all but mandatory funding increases.

In August, a group of persons interested in older blind services met at the invitation of the SRC to discuss meeting the needs of serving the growing population of older blind citizens. The group decided after a lengthy discussion to develop a legislative proposal that would mandate this service in state law. A low vision specialist from the St. Louis area explained that the proposal, when adopted, would be a new section, and would not in any way change any of the existing programs now in the state statutes. The services provided under this proposal would include rehabilitation teaching services, low vision equipment, low vision exams and those services now provided under the Older Blind Grant. It was noted that RSB is researching other resources that could possibly be accessed in helping to meet the funding needs for these services. Discussion of this topic was concluded with the agreement of the group that the proposed legislation will need universal support from all disability groups, and a plan to achieve this support.

REDUCTION OF HOME MAKER SERVICES

At the February, 2001 meeting, the director discussed the number of current cases being served with a goal of becoming homemakers. She pointed out that although the Rehabilitation Act does allow blind agencies to serve homemakers, they also discourage this service. RSB served 213 homemakers in the past fiscal year and spent an average of \$2,000 per homemaker, while spending an average of \$11,000 on the 276 employment closures. RSB has researched how other blind agencies define homemakers.

At the May, 2001 meeting, the director updated the Council on homemaker closures. She pointed out that approximately half of the rehabilitation teachers and half of the O&M Specialist expenses including salaries, travel, reader/driver, and benefits are still being paid with VR funds. She reported on a RehabNet search she had done regarding what other states were doing with homemakers. It found that several states are eliminating homemakers as a classification. Finally, she said that homemaker closures are going down, but expressed concern that the

numbers are still high in some district offices. This issue was discussed at length but no recommendation was made by the Council. During FY 2001, RSB reduced the number of homemaker closures again from FFY 2000 (123 compared to 213).

SRC COMMENTS ON TICKET TO WORK REGULATIONS

Following their publication, copies of the proposed Ticket to Work regulations were provided to the Council. The Governmental Affairs committee met by conference call to discuss the proposed Ticket To Work document. Copies of the comments that had been drafted regarding this issue were distributed and read to the full Council at their February, 2001 meeting. A motion was made that the draft comments be approved by the Council. The motion passed unanimously, and the comments were forwarded to the Social Security Administration. General comments are included below; specific comments are included as Appendix B.

GENERAL COMMENTS:

The review of the complete proposed rule caused great concern within the SRC due to its lack of specificity regarding the qualifications of providers, Employment Networks (ENs) and Program Managers (PMs). The rehabilitation of persons with severe disabilities such as blindness requires providers and case managers with very specific knowledge and skills relating to blindness and the alternative skills, assistive technology and job accommodations relating to this disability not commonly found in the general employment and rehabilitation community. Creating a system where persons who are blind could conceivably receive a ticket and assign it to a provider with no background, training or expertise in blindness will have the inevitable result of causing the consumer to lose valuable training benefits by entering services with a provider ill-equipped to serve him/her.

The proposed rule shows an overall lack of understanding of the needs of persons with visual disabilities throughout the document. While requiring PMs and ENs to provide materials in the requested reading media of the consumer, there is no requirement that the Social Security Administration take media into account when distributing the tickets, a flaw that will prevent many persons who are blind from taking full advantage of the program due to a lack of knowledge of the program's existence or its governing instructions.

The higher level of Substantial Gainful Activity (SGA) for persons who are blind, coupled with the intensive and costly nature of the training necessary to prepare them for employment will doubtless cause ENs to be overly cautious in accepting tickets from persons with visual disabilities, creating a subtle but very real environment in which discrimination will take place.

Finally, the guidelines for making timely progress toward self-supporting employment seem related to less severe disabilities, or those which can be ameliorated through medical intervention. RSB's average employment case takes approximately 19 months, although a typical year's caseload ranges from 1-90 months. Considering this factor, many blind consumers would not be able to meet the guidelines on timely progress in the proposed rule as they would not have completed their training. The work standards contained within the guidelines themselves are questionable for our constituency, as typically once the consumer is employed at or above SGA, only a small percentage ever returns to Title II or Title XVI..

Overall, considering the failure of the proposed rule to take these and other issues pertaining to blindness into account, the Missouri State Rehabilitation Council for the Blind urges the Commissioner to withdraw this proposed rule and redevelop the ticket system while taking into account the needs, issues and concerns of persons who are blind.

RSB INITIATIVES BRIEFED TO THE SRC

EFFORTS TO REDUCE THE NUMBER OF "28" CLOSURES

Following a recommendation of the SRC in its FFY 2000 Annual Report, RSB undertook several efforts to clarify the process and practice of closing cases in Status 28. In FFY 2000, RSB closed 184 cases in Status 28, down from 223 in the previous year. However, there were several areas that attracted attention during the analysis of these cases. First, that minorities were overrepresented in Status 28 closures, and at a lower rate of expenditure than non-minorities. Second, the fact that more than 70% of these closures are closed due to reasons (Unable to Locate or Refused Services) that are questionable.

The first study was a review of Status 28 closures of all minorities for FFY 2000. In this review, no evidence of discrimination was found, however, there were some apparent trends that concerned RSB. Some of those were:

1. Many of the cases reviewed had minimal personal contact between counselor and consumer and huge gaps in contact.
2. "Up-front assessment" was frequently non-existent.
3. Rehabilitation Teacher and O&M services were the highlight of many of the cases (which could possibly lead to increased use of their contact to maintain communication)
4. In a few cases, the counselor sent consumers with sheltered or supported employment goals to rehabilitation facilities,when RSB could have started an SE vocational assessment

The second study involved a random telephone survey of Status 28 cases during FFY 2000. This survey, in addition to the normal consumer satisfaction survey, asked consumers specific questions about their experiences in working with RSB. The survey produced satisfactory responses; staff knowledge, employment placement, choice in services, lack of waiting for services and supportive nature of staff were all rated at acceptable rates (minimum mean score of 3.111 on 5 point Likert scale). There were some surprising results; in almost half of the returned surveys the consumers still expressed interest in employment, and in several cases the consumer had gone to work following closure of their case as unsuccessful.

RSB held several meetings through the end of FFY 2001 with counselors and district supervisors as a result of the findings outlined above. The goal is to establish working policies for RSB staff that will lead to the reduction of this costly (\$1,195,067 in FFY 2001) use of rehabilitation resources. Some of the solutions proposed include:

1. Setting expectation of one phone contact or email at a minimum of 90 days
2. Use the IPE to spell out an individual contact plan
3. Adding rehabilitation assistant's name to the counselor's voice mail
4. Having consumers identify personal contacts (friends/family) in case of lost contact

SURVEY OF RECENT POST-SECONDARY STUDENTS

During June, 2001, a survey was sent by Southwest Missouri State University to 113 post-secondary students who had received services from RSB. Of those, 25 responded, a 22% return rate. Of the 25 respondents, all but 4 had graduated from high school (84%). Although survey participants related concerns with areas related to school materials being provided in accessible formats, 71.4% agreed that their experience with their local school and RSB in partnership prepared them well for their post-secondary goals.

In preparation for employment, a large number (43%) believed that employment

opportunities were low for persons with visual disabilities. 58.3% of respondents reported that they had not worked (either full or part-time) during their high school career.

Of particular interest was the current or planned education program reported by the respondents. Of the 25 responding, 16 are enrolled in a two- or four-year college program, three are in vocational training, two are currently in a rehabilitation program, and only four are not enrolled or don't plan to enroll. This shows that emphasis is being placed on improving consumers' marketability as employees in the future, based on a recent study performed by the American Foundation for the Blind (AFB). In that study, AFB looked at characteristics of employed consumers with visual disabilities, and discovered that although the overall percentage of unemployment was high (approximately 70%), consumers who were blind who ALSO had a college degree were employed at a rate consistent with the non-disabled population (over 90%). It is obvious from these numbers that a college degree is employment-enhancing for consumers who are blind or visually impaired, and it is also evident that RSB is correctly placing emphasis on post-secondary education for young agency consumers.

BUSINESS ENTERPRISE PROGRAM

The Capitol Building Cafeteria opened on February 7th, 2000 as a full-scale cafeteria. The manager of this facility is a former blind vendor, although he is now an employee of Lion's Business Opportunities for Missouri Blind. The Capitol Building Cafeteria is now a training site where BEP trainees can be provided professional instruction, under the control of the Business Enterprise Program and without compromising the operation of a vendor's business.

In March, 2001, Representative Chuck Graham offered HB969, a legislative proposal to remove the Capitol Building Cafeteria from the Business Enterprise Program and from RSB. This bill came as a surprise to RSB, as no previous complaint or concern regarding this facility had been received by the director or the Program Manager for BEP. RSB's director met with the sponsor of the bill, and with both House and Senate staff regarding this issue, and determined that the main concern was with maintenance of sanitary napkin machines in women's bathrooms in the Capitol. The maintenance of those machines is the responsibility of the Capitol Building Cafeteria manager. It was also noted that employees at the Capitol wanted a food service similar to the Truman Building Cafeteria, but this was not viewed as a possibility because of space constraints at the Capitol Building, as well as the fluctuation of the building's population.

HB969 failed to move out of committee, and did not become law. The director met with Representative Graham as well as with the Senate and House staff and representatives of the Office of Administration after the legislative session ended to ensure that communications would prevent any future repetitions of this action.

CONSUMER HANDBOOK

Consumer survey comments in FFY 1999 asked for more information about vocational rehabilitation and what to expect of services from RSB. In Fall, 2000, a committee was created with RSB's training developer, three vocational rehabilitation counselors and a job development specialist, whose task was to put together a draft of a Vocational Rehabilitation consumer handbook. This committee gathered examples of consumer handbooks from several other states, evaluated their designs and concepts, then created a listing of the basic information that every consumer needs when coming into contact with the VR system. They then drafted and revised a document for consideration by all

interested parties. This draft handbook focused on what a consumer would need to know about VR, the order in which services would be provided, and attempted to answer common questions from consumers. The draft was offered to all RSB counselors and supervisors, the State Rehabilitation Council and administrative staff for comments or changes. The Council offered individual comments directly to the committee. At the end of the period covered by this report, the Consumer Handbook had been delivered to the Department of Social Services communications staff, and should be in print in early 2002.

MENTOR TRAINING

During FFY 2001, RSB offered Mentor training on a district office basis. Training was planned at five locations, and was actually conducted in four locations (St. Louis, Kansas City, Columbia and Springfield). This training came at the request of staff and consumers who felt that training was needed to make the mentors more effective at working with RSB consumers. In all, 39 consumers attended the 6 hour training.

COOPERATION WITH THE MISSOURI TRAINING AND EMPLOYMENT COUNCIL (MTEC) AND THE DIVISION OF WORKFORCE DEVELOPMENT

STRATEGIC PLANNING

RSB was involved in the MTEC Strategic Planning Committee, offering information and advice on inclusion of persons with disabilities in workforce system development. Of primary interest was participation in the development of language on diversity that included the needs of consumers with disabilities. The goal and strategies from the MTEC Strategic Plan pertaining to diversity are included below:

Strategic Issue 5: DIVERSITY

As the nation moves into the 21st Century and Missouri enjoys steady population growth, the diversification of its population is also increased. Workforce Investment Boards need to represent the diversity of individuals with disabilities as well as the racial, ethnic and cultural diversity of the area served.

GOAL 1: Achieve diversity of the racial, ethnic, and cultural backgrounds, including persons with disabilities, among local Workforce Investment Boards.

Desired Outcome:

1. To achieve diverse representation from the Workforce Investment Board.

Outcome Measures:

Increase services (or make service enhancements) to workforce development customers.

Increase awareness of workforce development services (i.e., marketing).

Increase the accessibility of services.

Increase the number of customers from a diverse population that have jobs over \$10.00 per hour.

Increase the population of diverse background individuals within the Governor's four Outcome Measures:

- obtained a job;
- retained a job;
- obtained a job, gained a higher wage; and
- moved above poverty level income

Strategies:

Local boards should conduct surveys (or gather census data) in local areas to determine the extent and type of diverse groups in area (should be done by July 2001).

Local Workforce Investment Boards should establish an advisory committee to represent diverse groups (based on those groups in their area). Increase local board membership by one (from a seat for a Community Based-Organization) to represent this diversity advisory committee. Seek nontraditional methods of communication and marketing in order to reach more diverse customer groups.

DIVERSITY FORA

MTEC and the Division of Workforce Development undertook to conduct a Diversity Forum in each of the population centers in the state. Meetings were held with persons from a variety of organizations and areas of interest, including those interested in issues of youth, the elderly, minorities, persons with disabilities, veterans, past prisoners, business and the clergy. These fora were designed as focus groups, with random groups of participants tasked with answering questions about the Workforce Development System, its current operations, and how it could be improved for persons with diverse backgrounds. Every one of the fora was attended by a large number of participants, including representatives from services agencies (such as RSB), and a great deal of information was exchanged that should lead to better understanding on the part of the MTEC and DWD of the issues, concerns and priorities of the diverse community elements involved. RSB provided representatives to help develop, attend and assist in facilitation of the fora throughout the state, and provided all materials in accessible formats for participants.

WORKFORCE SYSTEM PERFORMANCE MEASURES COMMITTEE

RSB cooperated with other elements of Workforce Development in development of a set of outcomes for the Workforce Development System. These outcomes were developed to allow measurable indicators of system performance that can be applied throughout the Workforce system, leading to a better understanding of the performance of the system, as well as providing a more reliable data set for predicting trends and establishing plans and priorities for future operations. This list of outcomes is to be shared, with each member reporting to a single point of contact, and then assisting in integrating the information into usable formats.

This effort was concluded in September, 2001; however, development of additional measures pertaining to employers is expected to continue through the remainder of Calendar Year 2001.

ONE STOP TRAINING

RSB met with representatives of DWD, Vocational Rehabilitation, the Missouri Assistive Technology Project, and the Governor's Council on Disability regarding training for One Stop Career Center personnel on serving personnel with disabilities. The group was able to develop a « day presentation which covers the major issues of disability awareness, the accommodations necessary to allow consumers with disabilities to access services at the One Stops, how to offer assistance, and the technology needed to provide these services. It was agreed that the Columbia One Stop would be the first site to receive this training, others would follow.

Training was conducted in April for the One Stop Career Center in Columbia. In all, 20 participants received the training, and evaluations were very positive. In response to this training, one of the participants from the Full Employment Council (FEC) in Kansas City invited the trainers to provide this seminar for the disability specialists from the Kansas City One Stops. This training was conducted in May, with eight persons from FEC attending. No further training was conducted, despite the MTEC's goal (adopted in FFY 2000) of making the One Stops accessible to persons with disabilities prior to July 1, 2001.

PREVENTION OF BLINDNESS

During FFY 2000, Missouri's Legislature passed SB721, a bill primarily related to assistive technology, but with provisions relating to the establishment of a program devoted to prevention of and education about blindness. According to SB721, those efforts will be funded through donations made by Missourians when they renew licenses, with the funds being allocated to the Department of Health (DoH). RSB's director informed the Council that she would be working with the Department of Health about implementation of this program, as the DoH has no prevention of blindness program, while RSB has had prevention of blindness as part of its' mission since 1915.

After this meeting, the director reported that DoH has indicated to her that it would like to transfer the responsibility for the program of blindness education and prevention that was created with the passage of SB721 during the past legislative session to RSB. However, at the meeting it was reported that the Missouri Optometric Association has expressed some concern about this transfer. The Council recommended that RSB take whatever actions necessary to affect the transfer of this program to RSB, and wrote a letter to DoH indicating support of this action in a way that is mutually agreeable and beneficial to the program. Copies of the Council's correspondence were forwarded to sponsors of the legislation.

During the 2001 Missouri legislative session, SB336 was introduced by the sponsor of the original language of SB721 with the expressed purpose of creating a mandatory screening for all new kindergarten or first grade students using funds collected under SB721. This bill was voted "Do Pass" in committee, but was unable to make it to the floor and died in committee.

The director informed the Council that substantial funds had been raised by the fund created in SB721 (in excess of \$100,000), and the Department of Health has asked RSB to submit a proposal regarding the Blindness Education Screening and Treatment Fund. She read the cover letter attached to the draft proposal which explained that RSB feels the need to wait until after the current legislative session has ended to discuss this in order to assess how it may be affected by pending legislation. It was agreed that this issue will need to be further discussed with the legislation's sponsor, as well.

At the August, 2001 meeting, the director reported that the sponsor's assistant notified the Department of Social Services that the Optometric Association agreed to have the Department administer the Blindness Education and Prevention Act. She said this issue was discussed with the DSS legislative liaison. The director said the liaison would be meeting with the sponsor and explain that DSS does not administer programs and does not have the manpower to do so. She would propose that RSB administer the program along with a steering committee. The Department of Health has drawn up an agreement and submitted it to DSS and a copy of this was provided to the legislative sponsor. RSB is awaiting a decision on this proposal.

RSB BUDGET

In November, 2000, the director reviewed new decision items in the RSB SFY 2002 budget with the Council. These included: a \$300,000 funding source for rehabilitation teachers, \$200,000 in funding for services to the older blind, \$50,000 funding for the Prevention of Blindness program, a counselor for eye screening, and \$28,000 in the DSS technology equipment budget for JOBLINE.

In February, 2001, the director reported that the state has a shortfall of 300 million dollars, and agencies have been asked for spending plan reductions. She said that RSB proposed a \$50,000 cut in staff. In order to point out how RSB was faring

under the hiring restrictions, the director outlined RSB's vacancies, and noted that all teacher positions and all but one counselor positions were filled.

In May, 2001, the director reported that the \$28,000 budget request for JOBLINE had been approved. She said the only other RSB budget item in the SFY 2002 budget approved was the \$300,000 request for rehabilitation teachers to serve the growing number of older blind consumers.

The director reviewed with the Council possible RSB budget items for the SFY 2003 budget. These included: additional general revenue funding to replace the federal funds being used for rehabilitation teachers serving older blind consumers; funding for equipment needed by the older blind; and, additional funding for the operation of the Capitol Building Cafeteria. Other funding requests discussed were for job placement, staff certification, and rehabilitation teacher reclassification. The director has met with the Governor's Council on Disability and with the Agency on Aging and discussed with them the unmet needs of the older blind population. The Council wrote to the Governor's Council requesting its assistance and support in acquiring additional funding for older blind services. Concern was expressed regarding the difficulty in hiring drivers and the reluctance of drivers not wanting to use their own vehicles to drive blind staff because of the increased cost of fuel. After some discussion, RSB agreed to research the purchase of additional state vehicles as well as other resources to meet the travel needs of staff.

In June, 2001, the Governor announced his spending cuts (vetoes) to maintain a balanced budget for the state. These were unfortunate for the improvement of services provided to blind and visually impaired consumers. Among the vetoes were appropriations for:

\$28,000 for a job information telephone line for persons who are blind (JOBLINE)

\$300,000 for rehabilitation teachers for the blind.

At the August, 2001 meeting, the director said all RSB programs are experiencing an 18% cut. Staff vacancies are currently under a hiring freeze. A list of three critical positions to be filled has been submitted. These include a counselor for each of the two Kansas City district offices and a BEP coordinator for the St. Louis area. Permission has been granted to fill the counselor position in the Kansas City-North office. Although the budget for the next fiscal year is being developed, no new budget items are being accepted unless they are for mandated increases.

STUDENT CONNECTIONS

The 2nd annual Student Connections was held July 27-29, 2001 in St. Peters. Student Connections is a weekend seminar for students RSB is currently supporting or those who will shortly be supported in attendance at colleges and universities. Beginning with a seminar (Student Network) held by consumer groups over ten years ago, Student Connections is now an agency-run event, with a committee of current and former students deciding the agenda. The primary purpose of the event is to help students access information and make connections that will assist them in becoming successful college students.

180 students were invited and 30 attended Student Connections. The average age of those attending was 29. The keynote address was given by the SRC Chairman. There were three general sessions of various workshops for students to choose from. Exhibitors included Wolfner Library for the Blind, the Missouri Council of the Blind and the National Federation of the Blind of Missouri..

TEXTBOOKS

One of the issues raised at the seminar was obtaining textbooks in appropriate

format in a timely manner. It was noted that RSB is working to find ways of resolving these problems.

Following Student Connections, the SRC Executive Director did some research into accessing textbooks around the state. Conversations with Access Office administrators from UMSL, UMKC, UMC, SMS and several others resulted in some surprisingly common answers:

1. Most of the offices use a standard method of procuring accessible formats. They all described the following scenario:
 - a. Identify students with disabilities
 - b. If visual disability, check with Recordings for the Blind and Dyslexic
 - c. If RFB&D doesn't have it, check with other resources (National Library Service, Wolfner and Talking Tapes)
 - d. Check on Internet publisher's site to see if book is available in some form of E-text (very rare that they are)
 - e. Every one of the administrators said that if all of the above failed, they went to their last resort, hiring someone (8-10\$ per hour) to read the text onto a tape recorder (basic cassette recorder) with mixed results as far as quality.
 - f. Not one mentioned using the Center for Braille and Narration. When mentioned, some said that they'd heard of it, but didn't have any info on it.
2. Some other general areas of concern include:
 - a. Students not registered as early as possible, allowing the Access Office sufficient time to procure the texts and (if necessary) change them over to alternative formats.
 - b. Students changing their schedules after registration (see a. above)
 - c. Professors who don't make their text decisions in a timely manner (clearly something beyond RSB's scope)

Although research is ongoing, some conclusions are possible at this point.

1. Counselors are not making sure that their consumers get the materials they need, and are not making colleges aware of RSB resources to help get materials into accessible format.
2. Access Office staff don't know about the resources of the Braille and Narration Center. If they knew about it, and the fact that taping texts for RSB consumers was available, the Center would be overwhelmed, and there would be no more hiring of local narrators at 8-10\$ per hour.
3. There exists a need to have some high-speed scanning OCR capability for putting texts into electronic format (more useful than tapes). This possibility was mentioned by one of the administrators, but they don't have the money or expertise to do it themselves.
4. RSB needs to make sure that our consumers are registered as early as possible, and their schedule is confirmed so as not to require changes.
5. We need to pursue the concept of consumers/RSB staff getting books by on-line methods (either reimbursement or an RSB account of some type) to make the hard copy of the text available sooner. If the consumer could order the texts him/herself, would there be a problem getting reimbursement for the expense?
6. There hasn't been any response yet from the expert on accessible format textbooks for college students regarding the situation of getting publishers to publish to a standard format or to make their books available on disk. From the information gathered, this possibility looks grim (as opposed to the elementary and secondary textbook issues).

SRC RECOMMENDATIONS TO RSB

As targeted closures among minority consumers average \$6,729 in spending, vs. \$11,212 for non-minorities, the SRC recommends that RSB conduct research into the reasons for the disparity in funding for targeted closures among minorities.

As a large number (63 of 277) of targeted closures had been closed previously in Status 26 within the previous two years, the SRC recommends that RSB conduct further research in this area to determine the efficacy and validity of multiple closures within short time frames.

As minorities were again overrepresented in Status 28 closures, (31.9%), and the disparity in case expenditures for minorities vs. non-minorities prior to closure in Status 28 cases (\$5,900 vs. \$7,808) continues to cause concern, the SRC recommends that RSB conduct further research into the funding disparity and the overrepresentation of minorities in unsuccessful closures.

As the number of consumers closed in Status 28 listed as "Unable to contact," (46/27.7%) and "Refused Services" (66/39.7%), resulted in an expenditure of \$806,288 (by average), the SRC recommends that RSB conduct further investigation of the reasons given for unsuccessful closure following services, and develop remedial steps which can be taken to reduce those closures.

APPENDIX A

MEMORANDUM FOR RSB EXECUTIVE STAFF, DISTRICT SUPERVISORS,
REHABILITATION COUNSELORS AND EMPLOYMENT SPECIALISTS

FROM: Sally Howard, Deputy Director

SUBJECT: RSB Policies on Extended Employment
34CFR Part 361
Effective October 1, 2001

Extended employment is defined as work in a "non-integrated or sheltered setting . . . for which compensation is in accordance with the Fair Labor Standards Act." Put simply, if the employment setting has the consumer working in an environment where a majority of the other employees have disabilities, or if the consumer is being compensated at less than minimum wage under the Fair Labor Standards Act, the placement is considered to be extended employment. It is possible that a person working for an entity which offers extended employment (such as Lighthouse for the Blind facilities) can be considered to be in competitive employment, if their worksite is integrated and they are paid at least the minimum wage.

Summary:

Effective on October 1, 2001, per the final regulations for the Rehabilitation Act as Amended in 1998, extended employment will no longer be considered as an employment outcome. This means that any case where a consumer chooses to go to work in a sheltered or extended setting cannot be closed as Status 26 (Closed, Rehabilitated). More importantly, a consumer who expresses a goal of working in an extended setting does not have a vocational goal that satisfies the requirement for eligibility for Vocational Rehabilitation (VR) services. In order to remain in compliance with VR regulations, counselors need to administer cases involving extended employment in the following manner:

1. If you come into contact with an applicant who expresses an employment goal of extended employment, you should:
 - a. not open a VR case
 - b. refer the consumer to services available at the local One Stop Career Center
 - c. refer the consumer to local extended employment providers
 - d. assist the consumer with certification for eligibility for extended employment
 - e. explain the availability of VR services if the consumer considers competitive employment (and explain the competitive employment is the purpose of VR)
 - f. explain that VR services can be provided to a consumer in an extended employment setting if they are preparing for competitive employment, either now or in the future
 - g. refer the consumer to the Social Security Administration (SSA) or to a Benefit Planner to access information regarding their ability to work while receiving benefits from SSA
2. If a consumer with an open VR case is working in, or accepts, employment in an extended setting, you should:
 - a. determine if the consumer has an employment goal of competitive employment
 - b. determine if the extended employment placement is consistent with training to prepare the consumer for competitive employment. For purposes of this policy, any period of extended employment planned for less than 6

months will be considered as transitional employment. Any plan which proposes extended employment in excess of 6 months must be approved by the Deputy Director or designee. If the employment cannot be considered as transitional employment leading to competitive employment, the case should be closed in Status 28 or Status 30 as appropriate.

3. If a consumer's VR case is closed due to their having accepted extended employment and being unable to achieve competitive employment, or having made an informed choice to remain in extended employment, you should:

a. annually review and reevaluate the status of the consumer for a period of two years (or longer if requested by the consumer) to determine if their interests, priorities and needs could lead to an competitive employment closure. (RSB state office will provide a periodic printout with a list of consumers who require review.)

b. ensure that the consumer or their representative have input into the review/reevaluation, and document that input in the case record.

c. make maximum efforts to assist the consumer in engaging in competitive employment.

d. ensure that the consumer (or his/her representative) signs an acknowledgment that the review has taken place

QUESTIONS AND ANSWERS

1. Question: Do our consumers have the right to an informed choice of non-integrated, sheltered employment or of competitive employment?

Answer: Yes

2. Question: Do we close the case when a consumer exercises their informed choice to work in a non-integrated, sheltered setting?

Answer: Yes, unless the consumer is specifically using the non-integrated, sheltered employment as transition or "interim" step towards a competitive employment goal that is spelled out in an IPE.

3. Question: Can we open up a case on an individual who is working in a non-integrated, sheltered setting?

Answer: Yes, so long as the consumer has a competitive employment goal and an IPE is developed for that goal.

4. Question: What kind of services would RSB provide to a consumer working in a non-integrated, sheltered setting on a transitional or "interim basis?"

Answer: As always, the services would be spelled out in an IPE based on the competitive employment goal. The IPE should support the need for extended employment as part of the plan to reach a competitive employment goal.

5. Question: Is all employment with an extended provider considered extended employment?

Answer: No. If the consumer is working in an integrated setting, and is being paid at least minimum wage, the employment would be considered competitive versus extended. Examples include: receptionists and switchboard operators working for an extended employment resource but who deal with the public at large, or marketing and public relations representatives who call on the public, etc.

APPENDIX B

Specific Comments

Sections 411.400 - 411.420: Can an EN to which a beneficiary's ticket is assigned refer the beneficiary to a State VR agency for services?

We believe that the guidance offered in the above-mentioned sections is too simplistic, and offers too little guidance on this issue which promises to be the source of great disagreement. There must be a written agreement between the EN and the state VR agency before the EN can refer a consumer to the VR agency. However, this brings up issues of funding use (i.e. using VR funds to pay for a service that should be paid for by the EN), reimbursement and dispute resolution. These are terribly complex issues, with very little clarity offered by this proposed rule or the recently finalized vocational rehabilitation rule. As there is no requirement that the state agency enter into an agreement with an EN, there is nothing that would prevent the state agency from refusing to enter into any agreements with ENs. This would have the effect of denying needed rehabilitation services to the consumer based on a disagreement between the parties as to the type and amount of reimbursement, the value of services provided and the requirement that VR agencies take "comparable benefits" into account when authorizing services. According to the vocational rehabilitation regulations, any benefit which can provide a service or pay for that service must be utilized before vocational rehabilitation funds can be authorized for expenditure.

Section 411.315: What are the minimum requirements necessary to be an EN?

The general criteria required to qualify as an EN is not sufficiently detailed to ensure that only those entities with experience and expertise in serving persons with disabilities are selected as ENs. The delivery or coordination of services for employment provide different challenges and needs compared to rehabilitation, and no specific requirement is stated of the experience and qualifications of the entity in rehabilitation and providing services to persons with disabilities. The failure to take into consideration the entity's rehabilitation credentials will cause many beneficiaries to undertake a program of services not in keeping with their needs, and that does not lead to an employment outcome.

The criteria specified for staff to provide services for an EN are not in keeping with those of the vocational rehabilitation program. According to the draft Ticket to Work regulations, staff would have to be: "...qualified under applicable certification, licensing, or registration standards that apply to their profession..." or, "qualified based on education or experience, such as using staff with a college degree in a related field such as vocational counseling, human relations, teaching or psychology." This contrasts with vocational rehabilitation regulations which require that personnel meet the highest standard in the state, or failing the establishment of a state standard, they must meet the standard of education required for national certification in the discipline. The disparity of requirements would create a dual system of rehabilitation, in which some consumers would receive services from an agency employing staff with the highest professional qualifications in rehabilitation, while others would be served by an agency with no requirement to employ persons with any specific knowledge, experience or qualifications related to disability and rehabilitation.

Section 411.245: What are a PM's responsibilities under the Ticket to Work program?

We believe that this section does not provide sufficient guidance as to the PM's

responsibilities relating to informing ticket holders about ENs. According to the draft Ticket regulations, the PM must ensure that there are sufficient ENs to meet the needs of beneficiaries, assist beneficiaries in accessing services, publish lists of ENs and provide all materials in accessible formats. No requirement is given for the extent of information regarding the EN which must be made available. In contrast, VR regulations require that as a function of informed choice, the VR agency must provide consumers with information detailing providers' qualifications, consumer satisfaction, success rate, the extent to which services are integrated, etc. Failure to provide this information would create a system in which beneficiaries could not practice fully informed choice in their rehabilitation program.

Section 411.375: Does a State VR agency continue to provide services under the requirements of the State plan approved under Title I of the Rehabilitation Act of 1973, as amended, even when functioning as an EN?

In the disparities between the VR regulations and Ticket regulations, the VR agency must meet higher standards in many regards. In this section, the Ticket regulations require that, notwithstanding the lower standards for ENs, the VR agency functioning as an EN must continue to meet the same standards as when they are providing services under the traditional State plan of the Federal-State Vocational Rehabilitation Program. While it is expected that a VR agency would not lower its' standards when serving a Ticket beneficiary, it does highlight the disparity in standards between the two types of providers. If any change is to be made in light of this section, it should be to cause the ENs to come up to the higher standard required of the VR agency.

Sections 411.600 - 411.640: Is there a process for resolving disputes between beneficiaries and ENs?

The process for dispute resolution outlined in the draft Ticket regulations falls short of a "due process system." As explained in 411.600, the beneficiary may seek resolution through the EN's internal process, followed by requesting a resolution from the PM, and finally, a request for a decision from SSA. The failure in the design of this system is its' failure to provide a process that allows an impartial entity with no connection with the program to take part in dispute resolution. In the vocational rehabilitation regulations, an "impartial hearing officer" is provided for to hear disputes and render resolutions, with the results of these hearings subject to review only by parties outside of the VR agency (only the Designated State Agency or the Governor's Office may review these hearings). The VR agency must also provide for a system of mediation, allowing for resolution of disputed decisions through interaction with another disinterested party. In cases where the beneficiary has a dispute with a VR agency as the Ticket provider, the VR agency must provide the beneficiary with the full due process requirements of the Rehabilitation Act. This again creates a double standard which may be applied depending upon the service provider, resulting in a denial of rights to beneficiaries receiving services from an EN who is not a VR agency. Again, if any change is to be made to this process, it should be to cause the dispute resolution process required of all ENs to be raised to the higher due process standards of the Rehabilitation Act.